

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v-

No. 18 CR 488-LTS

JESSE RODRIGUEZ,

Defendant.

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ORDER

The Court has received and reviewed the parties' letters of December 16 and 17, 2020, concerning the evaluations of the Mr. Rodriguez's competency and the parties' positions as to whether the Court should conduct a competency hearing at the appearance scheduled for January 12, 2021. Defense counsel's letter is filed at ECF docket entry no. 90. The Government is directed to file its letter, which was distributed by email, on the ECF docket. The exhibits to the respective letters, consisting of evaluation reports including sensitive health information, shall be filed under seal. The parties are directed to deliver hard copies of those exhibits to the Clerk's office for sealed filing, together with a copy of this order.

The Government's request for permission to propose an expert in Wernicke-Korsakoff Syndrome to evaluate Mr. Rodriguez and opine on long-term management of the disorder is granted. If the expert is appointed and determines that Mr. Rodriguez suffers from the disorder, the expert shall include in the evaluation information as to Mr. Rodriguez's prognosis and management of his condition, as well as the expert's opinion regarding Mr. Rodriguez' competency to assist in his own defense and stand trial. The Government shall

propose an expert and a timetable for the additional evaluation and report by January 4, 2021. The parties shall thereafter meet and confer concerning any objections to the expert and/or the time table, and the conference currently scheduled for January 12, 2021, will be conducted remotely, as a status and scheduling conference, on Monday January 25, 2021, at 11:00 a.m.

SO ORDERED.

Dated: New York, New York  
December 23, 2020

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
United States District Judge